An OATH *to an Invador, and Abjuring the Invaded, diſſected and examin'd upon the following* Queries, *viz.*

Query I. WHether it be *malum in ſe*, for one Man, or for many, with armed Force and indirect Practices, without any previous Declaration of War, or Cauſe of Complaint ſhewn, by Memorials, Ambaſſadors, Mediation of neighbouring Potentates, or other regular Methods in ſuch Caſes commonly uſed, to Invade the undoubted and acknowledged Hereditary Right of another, and Defame and Calumniate him into the Bargain, as far as Art and combined Malice can invent, purely to ſerve a Turn, and the better to attain the End of the Invador and his Accomplices, be the Pretence for ſo doing never ſo ſpecious, when in Truth, and to the Knowledge, and certain inward Belief, even of the Invador and Calumniators themſelves, the Calumny is fictitious and groundleſs, and the Invaſion againſt the Law of Nations, the Law of Nature, and the eſtabliſhed Laws of the Land invaded at the Time of the Invaſion?

Qu. II. Whether the more Eminent any Perſon thus Invaded and Calumniated is, in Blood, Dignity and Authority above others, (for Example King *Charles* I.) the Invadors of his Right and Murtherers of his Royal Reputation, before they murthered him upon the Block, have not the more to Account for, by how much the Perſon and Character of a King is deemed Sacred, and by the ſtrongeſt Fences of Law Human and Divine skreened, from all violent Attempts and Inſults whatſoever, and under no leſs Penalty in Subjects, than High Treaſon?

Qu. III. By what Colour of Lawful Authority, and on what Rule of Scripture, Statute-Law, Legal Practice, or Natural Equity grounded, can ſuch an Invador and his Criminal Accomplices, (as ſuppoſe *Oliver Cromwell* and his Regicides-Adherents) pretend to Summon the People to Council or Parliament, or to give Sanction to any Act or or Acts of Council or Parliament, or take upon 'em to make any Diſpoſition, Limitation, or Settlement of the Eſtate, Crown and Dominions of the invaded King, to his, and his immediate Lineal Hereditary Heir's Prejudice, or can ſuch a Mock-Settlement, with ſo much as any ſhew of Juſtice, Honour or Conſcience, be ſupported, defended or maintained, when neither approved of, confirmed by, or agreed to, upon ſome valuable Conſideration or Compenſation, by any ſubſequent free and unconſtrained declared Act or Deed of the Perſon or Perſons injured thereby?

Qu. IV.

Qu. IV. Whether any length of Time or Preſcription, covered with the Veil of any aſſumed Authority, can Legitimate, or make that Lawful, which in its beginning was Unjuſt; or whether, the longer the Injury and Injuſtice doth continue, it be not an high Aggravation and an Accumulation of Guilt; and whether, what all Civilians, and others learned in Law, do admit, be of any Weight to prove the ſame, *viz.* That *quod contra jus fit, tanquam pro infecto habeatur*; and that, *nemo poteſt plus juris in alium transferre, quam ipſe habet*; and that, *quod ab initio non valet, proceſſu temporis, etiam longiſſimi, non convaleſcet*: adding, that *injuſte poſſidentur, quæ ex juſto titulo, juſta cauſa, & bona fide non poſſidentur*: And as the Law, *Nullo juſto*, Cod. *de rei vind.* ſays, *Ad præſcriptionem requiritur juſtus titulus, id eſt cauſa habilis & ſufficiens ad conferendum Dominium; titulus enim hujuſmodi eſt cauſa juſtæ poſſeſſionis: juſta autem poſſeſſio eſt proxima cauſa præſcriptionis*: Whence *Regula juris* affirms, that *abſque juſto titulo, non poteſt Dominium per uſucapionem, ſeu præſcriptionem acquiri*: And the Law, *id quod noſtrum. F. de Reg. Jur.* That *quod noſtrum eſt, ſine Facto noſtro, ad alium transferri non poteſt*: Beſides, the fullneſs and clearneſs of *Magna Charta*, and other undeniable Authorities in the Laws of *England*, too many to be here inſerted, in the Caſe.

Qu. V. If ſuch be the Caſe, that it be both *malum prohibitum* and *malum in ſe* to invade and calumniate as aforeſaid, with what Face can any one, pretending to Chriſtian or Moral Honeſty, or regarding the Golden Rule, do not to another, what you would not be done unto your ſelf, affirmitively ſwear upon the Holy *Evangeliſt*, and truly and ſincerely acknowledge, profeſs, teſtify, and declare in his Conſcience before God and the World, that ſuch an Invador and *malæ fidei* Poſſeſſor is, or can be lawful and rightful Owner of what he poſſeſſes in manner and by the Means aforeſaid, without any intervening Aſſent, Conſent, Approbation, Confirmation, or the leaſt Reparation made, or Satisfaction given to the Invaded, or other Sufferers by the Invaſion? And with the ſame Breath, negatively, ſolemnly and ſincerely declare, upon his ſaid Oath, That he believes in his Conſcience, that the Perſon thus Invaded and Injured hath not any Right or Title to what he hath been thus ſupplanted in and deprived of, to the Knowledge of the very Oath taker himſelf at the Time he takes it; and yet ſwears to a Negative and Affirmative both at the ſame time, contrary to his real Belief and Knowledge, and doth abjure, renounce and refuſe, by his ſaid Oath, to pay or own any Debt due to, or Thing owing or payable unto the Supplanted and Invaded in this Caſe; but ſwears he will pay all and every Part of the ſaid Invaded's real Debt and Right to the Invador and his Aſſigns, being of the Religion of the Invador, and will to the utmoſt of his Power defend him againſt all Perſons whatſoever, and againſt him by Name, to whom in his Heart and Conſcience, he knows the whole Debt doth of Right belong, and will ſupport, maintain and defend all Diſpoſition, Limitation and Settlement made by ſuch an Invador and his Accomplices of ſuch an invaded and detained Property as aforeſaid, to any Perſon or Perſons whatſoever excluſive of the Invaded, and of all Perſons in Blood immediately claiming a Right and deriving a Title from him; nay, tho' ſuch Diſpoſition, Limitation and Settlement be made, and principally intended, and ſo expreſs'd in the very Oath and Act it ſelf, when it excludes all thoſe who are not of the Invador's Religion, and limits the Settlement to ſuch alone, as are and ſhall be; tho'

it

it be made, I ſay, in favour of a Religion in Fundamentals oppoſite to, and in Practice perſecutive of what the Swearer himſelf ſeemingly profeſſes, he ſwears he will ſupport, maintain and defend ſuch Settlement to the utmoſt of his Power, which,

Qu. VI. Whether it be not downright Swearing, the Perſecution and Deſtruction of his own, if he ſincerely Means what he Swears; and if he does not ſincerely mean to perform what he doth ſo ſacredly and ſolemnly Swear to; under what Denomination muſt ſuch Swearing and Meaning, and their due Reward paſs, with the All-ſeeing and All-knowing God, and good Men?

And all theſe Things he plainly and ſincerely Acknowledges and Swears according to the expreſs Words by him ſpoken, and according to the plain and common Senſe and Underſtanding of the ſame Words, without any Equivocation, Mental Evaſion, or Secret Reſervation whatſoever; and he makes this Recognition, Acknowledgment, Abjuration, Renunciation and Promiſe, heartily, willingly, and truly, upon the true Faith of a Chriſtian. *So help him God.* As God moſt certainly will.

Qu. VII. Whether this be *monſtrum horrendum —— cui gratiæ lumen ademptum?*

Qu. VIII. Whether it can be pretended, by way of Excuſe, That ſuch an Oath is forced, and that it is unavoidable to Acknowledge and Recognize ſuch an Invador, as Rightful and Lawful Owner of what he hath acquired by his Invaſion, and to Abjure and Renounce the Invaded and his Right, when he Swears he doth all this willingly, heartily and truly, and when it is left to his Choice, either to Act ſuch a Part or withdraw, honourably declaring, *Fiat Juſtitia & Ruat Cælum*, and nobly follow the glorious Example of thoſe who laid it down, as their Civil and Chriſtian Duty, *Relinquere omnia, & ſequi Dominum*, and who being perſecuted in one City, fled into another, rather than abandon what they owed to God and Truth?

Qu. IX. How honourable or lawful would it be for any One born a Subject to the Hereditary Crown of *England* to ſwear, That *Oliver Cromwell* was lawful and rightful Chief-Governour of theſe Three Kingdoms, and all the Dominions thereunto belonging, becauſe he exerciſed more than Kingly Authority over them, under the Title of Protector, and that with a far more Arbitrary Sway, than any of their Lawful Monarchs ever did; and becauſe he was ſet up and recognized by Rebels at Home, under the Sham Pretence of having reſcued Religion, Liberty and Property, from Tyranny, by pulling down Monarchy and Epiſcopacy, and overthrowing the whole Frame of the Conſtitution, and was unvoluntarily acknowledged by an Infant Prince, or intereſted other Potentates abroad; and at the ſame time Abjure and ſolemnly Swear and Declare, that in his Conſcience he believes that King *Charles* II. had not any Right or Title whatſoever to the Crown of this Realm, or any other the Dominions thereunto belonging, from the Time of the Murther of the King his Father, and during the Uſurpation of *Oliver*, untill the Reſtoration?

Qu. X.

Qu. X. Whether any ſuch foreign or home Recognition, Acknowledgment, or Submiſſion made, and Oath taken to ſuch an *Oliver*, or any Law made by himſelf and his Party to corroborate and confirm his Power and Authority, could in the leaſt make his Title the better, or his Government the more Lawful and Righteous in its ſelf, if the Authorities mention'd in the Fourth preceding *Query* be of any force; and whether any Abjuration or Renounciation of all or any ſuch Perſon or Perſons could any way vacate, attaint, or extinguiſh the indefeazable Hereditary Right of the Royal Prince the Murthered King's undoubted Son, and the lawful Heir of his Crown, and who can, will, or dare make it out? *Et erit mihi magnus Apollo.*

Qu. XI. What then to think of ſuch Abjuring-Oath-Takers, and of the Coiners, Promoters and Impoſers of them? *Dabit Deus his quoque*——

The Oath of Abjuration now adminiſter'd in *Great Britain*, &c.

I A. B. *do truly and ſincerely acknowledge, profeſs, teſtify and declare in my Conſcience, before God and the World, that our Sovereign Lady Queen* Anne *is lawful and rightful Queen of this Realm, and of all other her Majeſtye's Dominions and Countries thereunto belonging: And I do ſolemnly and ſincerely declare, that I do believe in my Conſcience, that the Perſon pretended to be Prince of* Wales, *during the Life of the late King* James, *and ſince his Deceaſe pretending to be and taking upon himſelf the Stile and Title of King of* England, *by the Name of* James *the Third, hath not any Right or Title whatſoever to the Crown of this Realm, or any other the Dominions thereunto belonging: And I do renounce, refuſe and abjure any Allegiance or Obedience to him. And I do ſwear that I will bear Faith and true Allegiance to her Majeſty Queen* Anne, *and her will defend to the utmoſt of my Power againſt all Traiterous Conſpiracies and Attempts whatſoever, which ſhall be made againſt her Perſon, Crown or Dignity. And I will do my beſt Endeavour to diſcloſe and make known to her Majeſty and her Succeſſors, all Treaſons and Traiterous Conſpiracies, which I ſhall know to be againſt her, or any of them. And I do faithfully promiſe, to the utmoſt of my Power, to ſupport, maintain and defend the Limitation and Succeſſion of the Crown, againſt him the ſaid* James, *and all other Perſons whatſoever, as the ſame is, and ſtands limitted by an Act, Intituled,* An Act declaring the Rights and Liberties of the Subject, and ſettling the Succeſſion of the Crown to her preſent Majeſty, and the Heirs of her Body being Proteſtants: *And as the ſame by one other Act, Intituled,* An Act for the further Limitation of the Crown, and better ſecuring the Rights and Liberties of the Subjects, is, and ſtands limitted after the Deceaſe of her Majeſty, and for Default of Iſſue of her Majeſty, to the Princeſs *Sophia*, Electoreſs and Dutcheſs Dowager of *Hanover*, and the Heirs of her Body, being Proteſtants. *And all theſe Things I do plainly and ſincerely acknowledge and ſwear according to thoſe expreſs Words by me ſpoken, and according to the plain and common Senſe and underſtanding of the ſame Words, without any Equivocation, mental Evaſion, or ſecret Reſervation whatſoever; And I do make this Recognition, Acknowledgment, Abjuration, Renounciation, and promiſe heartily, willingly and truly, upon the true Faith of a Chriſtian:*

So help me GOD.

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